

**RADER,****FISHMAN****& GRAUER****PLLC**

*Worldwide Intellectual Property Matters • Patents • Trademarks  
Litigation • Copyrights • U.S. and Foreign Portfolio Management  
Computer and Internet Law • Trade Secrets • Unfair Competition*

**RECEIVED  
CENTRAL FAX CENTER**

**AUG 09 2006**

**To:** Commissioner for Patents

**From:** Steven L. Nichols

**Fax:** (571) 273-8300

**Pages:** 23 pages including coversheet

**Phone:**

**Date:** August 9, 2006

**Re:** Amendment - 10/698,097

☒ **Urgent** ☒ **For Review** ☐ **Please Comment** ☐ **Please Reply** ☐ **Please Recycle**

This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable laws. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return original message to us at the above address via U.S. Postal Service.  
Thank you.

● **Transmitted, herewith, are the following documents:**

1. Facsimile cover page (1 page)
2. Certificate of Transmission (1 page)
3. Transmittal Letter for Response/Amendment with Duplicate Copy (2 pages)
4. Amendment (19 pages)

• 10653 S. River Front Pkwy., Suite 150, South Jordan, UT 84095 Tel: (801) 572-0185 Fax: (801) 572-7666 •  
[www.raderfishman.com](http://www.raderfishman.com)

PAGE 1/23 \* RCVD AT 8/9/2006 7:03:12 PM [Eastern Daylight Time] \* SVR:USPTO-EFAX-5/1 \* DNIS:2738300 \* CSID:18015727666 \* DURATION (mm-ss):03-30

**BEST AVAILABLE COPY**

RECEIVED  
CENTRAL FAX CENTER

AUG 09 2006

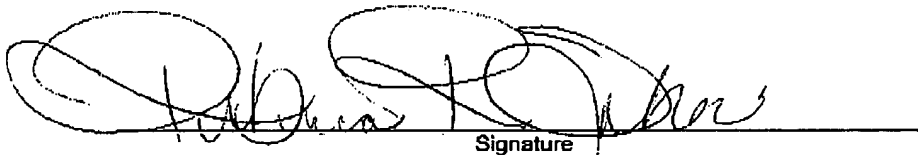
Application No.: 10/698,097

Attorney Docket No.: AB-378U

### Certificate of Transmission

I hereby certify that this correspondence is being facsimile transmitted to the Commissioner for Patents via the USPTO central facsimile number, (571) 273-8300.

on August 9, 2006  
Date



Signature

Rebecca R. Schow

Typed or printed name of person signing Certificate

● Transmitted, herewith, are the following documents:

1. Facsimile cover page (1 page)
2. Certificate of Transmission (1 page)
3. Transmittal Letter for Response/Amendment with Duplicate Copy (2 pages)
4. Amendment (19 pages)

AB-378U

Serial No.: 10/698,097

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED  
CENTRAL FAX CENTER

In re Patent Application: Edward H. Overstreet et al.

Confirmation No.: 9705

AUG 09 2006

Application No.: 10/698,097

Examiner: FAULCON Jr., Lenwood

Filed: October 31, 2003

Group Art Unit: 3762

Title: "Multi-Electrode Stimulation to Elicit Electrically  
Evoked Compound Action Potential"Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- (X) Response/Amendment ( ) Petition to extend time to respond  
 ( ) New fee as calculated below ( ) Supplemental Declaration  
 (X) No additional fee ( ) Other: \_\_\_\_\_

CLAIMS AS AMENDED BY A LARGE ENTITY						
FOR	CLAIMS REMAINING AFTER AMENDMENT	NUMBER EXTRA	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEES
TOTAL CLAIMS	23	MINUS	23	= 0	X \$50.00	\$0.00
INDEP. CLAIMS	4	MINUS	4	= 0	X \$200.00	\$0.00
[ ] FIRST PRESENTATION OF A MULTIPLE DEPENDANT CLAIM					+ \$380.00	\$
EXTENSION FEE	[ ] 1ST MONTH \$120.00	[ ] 2ND MONTH \$450.00	[ ] 3RD MONTH \$1020.00	[ ] 4TH MONTH \$1590.00		\$0.00
OTHER FEES						\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$0.00

Please charge **\$0.00** to Deposit Account 18-0013/40328-0062. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 18-0013/40328-0062 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 18-0013/40328-0062 under 37 CFR 1.16, 1.17, 1.19, 1.20 and 1.21. A duplicate of this sheet is enclosed.

I hereby certify that this correspondence is being  
transmitted to the US Patent and Trademark Office  
via facsimile number (571) 273-8300 on  
**August 9, 2006**

Number of pages transmitted: 23

  
Rebecca R. Schow

Respectfully submitted,

By: 

Steven L. Nichols (Reg. No.: 40,326)  
Attorney/Agent for Applicant(s)  
Telephone No.: (801) 572-8066  
Date: August 9, 2006

AB-378U

**DUPLICATE**

Serial No.: 10/698,097

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED  
CENTRAL FAX CENTER

AUG 09 2006

In re Patent Application: Edward H. Overstreet et al.

Confirmation No.: 9705

Application No.: 10/698,097

Examiner: FAULCON Jr., Lenwood

Filed: October 31, 2003

Group Art Unit: 3762

Title: "Multi-Electrode Stimulation to Elicit Electrically  
Evoked Compound Action Potential"Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- (X) Response/Amendment ( ) Petition to extend time to respond  
 ( ) New fee as calculated below ( ) Supplemental Declaration  
 (X) No additional fee ( ) Other: \_\_\_\_\_

CLAIMS AS AMENDED BY A LARGE ENTITY						
FOR	CLAIMS REMAINING AFTER AMENDMENT	NUMBER EXTRA	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEES
TOTAL CLAIMS	23	MINUS	23	= 0	X \$50.00	\$0.00
INDEP. CLAIMS	4	MINUS	4	= 0	X \$200.00	\$0.00
[ ] FIRST PRESENTATION OF A MULTIPLE DEPENDANT CLAIM					+ \$360.00	\$
EXTENSION FEE	[ ] 1ST MONTH \$120.00	[ ] 2ND MONTH \$450.00	[ ] 3RD MONTH \$1020.00	[ ] 4TH MONTH \$1590.00		\$0.00
OTHER FEES						\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$0.00

Please charge \$0.00 to Deposit Account 18-0013/40328-0062. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 18-0013/40328-0062 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 18-0013/40328-0062 under 37 CFR 1.16, 1.17, 1.19, 1.20 and 1.21. A duplicate of this sheet is enclosed.

I hereby certify that this correspondence is being transmitted to the US Patent and Trademark Office via facsimile number (571) 273-8300 on  
**August 9, 2006**

Number of pages transmitted: 23

  
 Rebecca R. Schow

Respectfully submitted,

By:



Steven L. Nichols (Reg. No.: 40,326)  
 Attorney/Agent for Applicant(s)  
 Telephone No.: (801) 572-8066  
 Date: August 9, 2006

AB-378U

RECEIVED  
CENTRAL FAX CENTER

10/698,097

AUG 09 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Patent Application of

Edward H. Overstreet et al.

Application No. 10/698,097

Filed: October 31, 2003

For: Multi-Electrode Stimulation to  
Elicit Electrically Evoked Compound  
Action Potential

Group Art Unit: 3762

Examiner: Faulcon Jr., Lenwood

AMENDMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Commissioner:

In response to the non-final Official Action mailed on May 18, 2006, please consider the following.